

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|---------------------------|---|---------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 4:05-CR-496 CEJ |
| |) | |
| RONALD BAKER, |) | |
| |) | |
| Defendant. |) | |


ORDER

Pursuant to 28 U.S.C. § 636(b), the Court referred all pretrial matters in this case to United States Magistrate Judge Frederick R. Buckles for determination and recommended disposition, where appropriate. On October 25, 2006, Judge Buckles issued a Report and Recommendation with respect to the disposition of the defendant's motion regarding inclusion of *mens rea* and causation requirements in 21 U.S.C. § 841(b)(1)(C) or, alternatively, to declare the statute unconstitutional. No objections to the Report and Recommendation have been filed, although the Court has granted the defendant multiple extensions of time in which to do so.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of United States Magistrate Judge Frederick R. Buckles is sustained, adopted, and incorporated herein.

IT IS FURTHER ORDERED that the motion of defendant Ronald Baker for to include *mens rea* and causation requirements in 21 U.S.C. § 841(b)(1)(C) and to define the term "use" in the statute or, alternatively, to declare the statute unconstitutional severance [Doc. # 35] is **denied**.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 16th day of January, 2007.